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CIA CONFIRMATION HEARING

Webster approval looks sure

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Washington

William H. Webster, formerly a federal judge and now director of the Federal Bureau of Investigation, is almost certain to be confirmed as director of central intelligence.

He will be thrust immediately into one of the most difficult government posts in the United States, at a time when the American intelligence establishment is once again coming under severe criticism.

Despite some frank questioning of Mr. Webster at his confirmation hearing yesterday before the Senate Intelligence Committee, senator after senator expressed support for his nomination.

But Sen. Ernest F. Hollings (D) of South Carolina also issued a stern admonition to the nominee: "You've got a lot of work to do in taking over this particular agency and shaping it up," he warned.

The Central Intelligence Agency — as well as other US intelligence agencies — is in the midst of a storm, as the US counts up recent intelligence losses, probes CIA involvement in the Iran-contra affair, and struggles to recover from the damage wrought by Soviet penetration of the American Embassy in Moscow.

Much of the senators' attention centered on Webster's knowledge of the Iran-contra affair. According to his testimony and documents made public by the Senate panel, Webster became aware of US arms shipments to Iran in August 1985, when an FBI official learned of them during a meeting with Lt. Col. Oliver North, then a staff member of the National Security Council. Colonel North is now a central figure in the probe of the affair.

Webster said he questioned Attorney General Edwin Meese III about the arms sales, but received assurances that President Reagan had authorized the shipments. Webster said he did not learn of the diversion of funds to the Nicaraguan contras until the information became public last November.

Webster said he met with Mr. Meese on Nov. 25 and volunteered the services of the FBI. Meese, he said, indicated that the Justice Department would conduct a criminal inquiry. The following day, the FBI was called into the investigation. By that time, however, key documents reportedly had been destroyed or altered.

Intelligence Committee chairman David Boren (D) of Oklahoma asked Webster whether, if he had known how the Iran-contra probe would evolve, he would have pressed for earlier FBI involvement. The nominee replied, "Certainly."

Many of the questions sought to determine what Webster would do to keep Congress informed of CIA operations, and what kind of advice he would give as the President's chief adviser on intelligence matters. Webster parried the questions with lawyerly precision, first citing relevant statutes and legal guidelines, then giving his own conclusions. Among them:

- He was "ill at ease" with the National Security Council staff's becoming involved in covert operations and would oppose such operations in the future.

- Only in extraordinary emergency situations should a president resort to oral findings to justify concealing covert operations from Congress, and those findings should quickly be put into writing. (President Reagan issued such a finding to justify the arms sales to Iran, and au-

thorized former CIA Director William Casey to conceal them from the Congress.) Webster also expressed skepticism about findings that retroactively condoned operations already undertaken, terming them "damage control."

- The CIA director has a primary responsibility to keep the congressional intelligence committees informed of secret operations. The committees, he said, act as surrogates for the American people.

If he felt the President were preventing him from carrying out this responsibility, Webster said, "I would have to leave." That is exactly the kind of assurances the senators wanted to hear.

Sen. William Roth Jr. (R) of Delaware warned of another problem Webster is inheriting — the penetration of the US Embassy in Moscow by Soviet agents, the bugging of the new American Embassy being built in Moscow, and the question of whether the Soviets should be allowed to occupy their new embassy in Washington. The Soviet structure is on a hill overlooking both the White House and the Pentagon, and is an ideal site for electronic eavesdropping.

Webster expressed concern over these issues, and said the new US Embassy in Moscow could probably never be made secure so long as the State Department relied on Soviet laborers. He also gave a cautious endorsement to the death penalty for certain offenses, including serious cases of espionage.

At press time, it was not known if Webster would be called for further questioning. The panel is not scheduled to vote on the nomination until later this month.

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